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TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING	Docket Number (Optional)
REJECTION OVER A PENDING "REFERENCE" APPLICATION	P1038/N8788
In re Application of: Mercuri, et al.	
Application No.: 09/871,243	
Filed: May 31, 2001	
For: Method for Preparing Composite Flexible Graphite Material	
The owner*. <u>Graftech Inc.</u> of <u>100</u> percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number <u>10/47.988</u> . filled on <u>November 14.2003</u> , as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.	
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2. The undersigned is an attorney or agent of record. Reg. No. 30,738	
Sp	March 21,2005
Signature	Date
James R. Cartiglia	
Typed or printed name	
	(615) 242-2400 Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) is included.	
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This collection of information is required by 37 GPA 1.321. The information is required to obtain or retain a pensit by the place which is to like given by 59 U.S.C. 122 and 57 CPR 1.13 and 1.14. This collection is estimated to take 12 minutes to complete, including garbering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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